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ABSTRACT

This paper examines the appropriateness of the case study approach, commonly used in medical and law schools, for prospective and inservice teachers in schools of education. Developing courses in which case studies would be used to illustrate moral dilemmas would aid teachers in examining their ethical principles, weighing moral issues, and applying ethical reasoning to questions facing them in their practice. One of the assumptions underlying the construction of such courses is that the best way to approach the complex ethical questions that lie at the center of professional life is to examine them in light of traditional ethical theories. New feminist research, however, distinguishes a morality of rights and principles (the justice perspective) from a morality of care and responsibility (the care perspective). Each perspective posits a different relationship between morality and the conception of self. The appropriateness of both ethical approaches for professional ethics courses in schools of education is discussed. (JD)

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ETHICAL QUESTIONS FOR TEACHERS: A CASE STUDY APPROACH

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LORRAINE KASPRISIN

ETHICAL QUESTIONS FOR TEACHERS: A CASE STUDY APPROACH

In recent years, there has been an increasing interest in professional schools of medicine, law, business, journalism, and others with the ethical questions generated in their professional work. In the last decade, for example, almost every medical school in the country has introduced courses in medical ethics. Slowly, the need for such courses as part of the professional training of teachers is gaining increasing recognition and acceptance. The Holmes Report, for example, has recently called for such studies, and the Hastings Center Institute of Society, Ethics, and the Life Sciences, an institute which played such a vital role in raising these questions and concerns in the medical field, has conducted a special conference around the issue of professional ethics in schools of education.

In this paper, I shall examine the appropriateness of the case study approach commonly used in medical and law schools for prospective and in-service teachers in schools of education. The aim of such courses would be to aid teachers in examining their ethical principles, weighing moral issues, and applying ethical reasoning to questions facing them in their actual practice--questions such as conflicts of loyalties, competing rights, obligations, responsibilities, fairness, justice, punishment and due process, academic freedom, censorship, deception, whistle-blowing, confidentiality, etc.

There is a danger, however, in merely creating courses in applied ethics patterned after those in other professional schools without first examining some of the assumptions underlying the construction of such courses. One of the assumptions is that the

best way to approach the complex ethical questions that lie at the center of professional life today is to examine them in light of traditional ethical theories. These ethical theories are deeply embedded in the western liberal tradition and ignore the challenge from recent studies in women's moral language and moral decision-making. Growing out of Carol Gilligan's work at Harvard, this new feminist research distinguishes a morality of rights and principles (the justice perspective) from a morality of care and responsibility (the care perspective).[1] Each perspective posits a different relationship between morality and the conception of self, and a different understanding of the individual's relationship to community. Little work has been done in investigating the application of this newer paradigm in ethics for issues arising in professional practices.

My aim is to examine the appropriateness of both ethical approaches for professional ethics courses in schools of education. What would constitute a responsible, defensible solution to an ethical dilemma from these two perspectives? What is the nature of moral judgments in each account? What concepts are employed? What mode of justification is used? What are the advantages and limitations of each approach for our understanding of ethical dilemmas in education? Finally, I wish to raise some questions about the direction applied ethics should take in schools of education.

In one of the first books to use the case study approach in education, Kenneth Strike and Jonas Soltis, in <u>The Ethics of Teaching,</u> depict several ethical situations.[2] In one scenario, two pupils are constantly fighting in class, disturbing the other children. After various and repeated attempts to resolve the problem, the teacher finds that the only solution is to separate the

children and to keep them as far apart as possible in the classroom. It is often tempting in current educational thinking to describe such situations as problems in classroom management and seek some technical solution grounded in social science research. Indeed, our language has increasingly generated an educational ethos in which impersonal, technical thinking dominates. But most such situations can also be viewed and described in ethical terms. The question here is: What would it mean to describe the situation in moral or ethical terms?

I would like to suggest that there are two ways to construct the ethical situation. Following the traditional approach, Strike and Soltis construct the case around the issue of justice. To separate the boys and bring back peace to the classroom, the boys would have to be placed in different reading groups. But since both have a similar reading ability, one would have to be placed in a group which was either below or above his ability. Thus, one is being made to sacrifice, either through boredom or frustration, to maximize the general good of the whole. Is this fair? Is it just?

Now several points should be noticed here. The case study is specifically designed to bring out certain ethical concepts and ethical principles. Strike has likened his ethical problems to the kinds of problems one finds in physics textbooks for example. They are meant to be abstractions aimed at highlighting certain concepts and principles. They revolve around a judgment or decision and concentrate on the methods of ethical decision-making.

Moreover, they focus on problematic cases where there are real doubts about what the moral choice should be. That is, they are not merely conflicts where one knows the morally correct action but where the will is weak or the temptation to do otherwise is strong.

Here we are faced with genuine conflicts of principles. When are we justified in violating someone's rights for the general welfare of the whole? If we apply a utilitarian principle by acting in such a way that we maximize the greatest good for the greatest number, have we violated another principle, the principle of justice or equal treatment? Justice requires that two persons who are similar in all relevant ways be treated the same. How do we justify treating one pupil differently from the other? Strike and Soltis further complicate the issue by depicting the race of each pupil differently and go on to consider the question of when race is a relevant consideration.

In using such an approach, the teacher or prospective teacher would be asked to consider questions like:

1. What moral concepts are most appropriate and relevant for considering such a case?

2. What ethical principles are applicable to the case?

3. What sorts of reasons count as morally good reasons?

4. What are the legitimate claims or rights of the parties?

5. What are the consequences for different courses of action?

6. What would constitute just treatment?

7. What argument would justify an ethical course of action.

Central to these deliberations is a stance which requires objectivity, impartiality, consistency, and universalizable principles. The effect of such an approach is to abstract from each case the particular contextual features, the unique needs of individuals, and the special relationships binding specific individuals in favor of the general and universal. This is not to

say that such moral deliberations leave out empathy, feelings, moral intuitions, and contextual features but only that they function differently from the way such concerns enter into the Care Perspective. If I am reasoning as a utilitarian, for example, my feelings would count but only as equal consideration with those of others. Or if I am attempting to act in a just way by treating like cases alike, the way I initially describe each case will depend on my knowledge of the circumstances and individuals involved.

The essential difference can be found in the fundamental assumptions made about the nature of the moral self. The "self" in traditional moral theory is an isolated individual - a self-sustaining, autonomous moral agent - who makes moral judgments by appealing to the kinds of reasons and principles that all rational agents would choose if they were acting rationally, that is, by virtue of their rationality alone. To be justified, one's actions must be such that they are guided by principles which would apply to anyone in relevantly similar circumstances. Duty and obligation or enlightened self-interest constitute the primary moral relation.

In contrast, the "self" in feminist theory is always a relationally-defined self - a self embedded in community - with the web of commitments and relationships which constitute that community. Central to this approach to moral decision-making is a concern for the uniqueness of the situation, the concrete context, the network of relationships, the responsiveness to the specific needs of the other, and the importance of caring, preventing harm, and maintaining relationships.

In effect, both the Justice Perspective and the Care Perspective locate morality in different places. In some ways, the

Care Perspective reflects an older classical tradition which sees the question of morality in terms of what one is rather than merely in what one does. It returns to the quest for those virtues necessary for the moral life. Herbert Kohl's account of his experiences with thirty-six apathetic, defiant black children in Harlem illustrates well the nature of a moral dilemma here. Frustrated over his inability to teach the standard curriculum on "How We Became Modern America," Kohl recounts his experience:

> The next day I threw out my notes and my lesson plans and talked to the children. What I had been assigned to teach seemed, in any case, an unreal myth about a country that never has existed. I didn't believe the tale of 'progress' the curriculum had prescribed, yet had been afraid to discard it and had been willing to lie to the children. After all I didn't want to burden them or cause them pain, and I had to teach something. I couldn't 'waste their time." How scared I must have been when I started teaching in Harlem to accept those hollow rationalizations and use the 'curriculum' to protect me from the children. I accepted the myth that the teacher and the book know all; that complex human questions had 'right' and 'wrong' answers. It was much easier than facing the world the children perceived and attempting to cope with it. I could lean on the teachers' manuals and feel justified in presenting an unambiguously 'good' historical event or short story. It protected my authority as a teacher which I didn't quite believe in. It was difficult for me; pontificating during the day and knowing that I was doing so at night.[3]

What is the nature of the moral questions raised by Kohl?

First, the questions center on the issue of responsibility. For what is the teacher responsible? To whom is the teacher responsible?

Secondly, the conflict experienced by Kohl is not so much a conflict between principles as a conflict between the way he is acting and the way he believes he ought to be acting. It is a discrepancy between the ethical ideal that defines his life and the gnawing doubts that his actions are diminishing that ideal. Ultimately, the conflict rests on the growing sense that he has been

engaging in a self-deception.

Third, the questions focus on the type of relationship that should characterize the teacher-learner encounter. What is the authority of the teacher? What would it mean to care for the children and their lives? What would constitute a caring environment?

The Care Perspective returns us to the contextual dimensions of the moral situation - to the unique histories, feelings, and needs of the participants, to the interpretations they use to give meaning to a mutually constructed classroom experience, to a concern for maintaining a caring, trusting, nurturing relationship. While the traditional approach asks us to take each person's interests and rights into consideration - to incorporate a perspective that includes the other, the irony has always been that the other in his or her uniqueness largely disappears. But it is precisely those aspects of his students - their personal histories, their interests and needs, their sense of betrayal and lack of trust, their mode of resistance, and their suffering and passion - to which Kohl found himself responding.

But does an ethic of care allow for a form of reflective moral deliberation required for mature, autonomous moral action? Is there a procedure that would be comparable to the moral reasoning of the traditional approach? Diana Meyers has recently suggested that the Care Perspective does allow for such a procedure. Called "responsibility reasoning," the procedure requires a person to reflect on whether he or she would take responsibility for an action.

> In responsibility reasoning, the individual's moral sense gains expression through an exercise in imaginative introjection....One asks what choices are compatible with or

> reinforce desirable aspects of one's personal identity. Questions like "What would it be like to have done that?" and "Could I bear to be the sort of person who can do that?" are foremost. To answer these questions satisfactorily, the individual must be able to envisage a variety of solutions, must be able to examine these solutions open-mindedly, must be able to imagine the likely results of carrying out these options, must be attuned to self-referential responses like shame and pride, must be able to critically examine these responses, and must be able to compare various possibilities systematically along sundry dimensions. Each of these abilities represents a complex skill, and, together, these skills equip the individual to make a choice by consulting her self. Thus, it is plausible to say that people who deliberate in this way are self-governing.[4]

In conclusion, I am arguing that two conceptual schemes for constructing an ethical situation need to be examined before we proceed to introduce courses in professional ethics for teachers. Whether these two views are competing paradigms or two aspects of a more general theory of ethics remains to be explored. Moreover, it may be that the categories in which we choose to describe a particular moral situation are at least partly determined by the kind of problem we are encountering. In any event, our "primary responsibility," as John Dewey pointed out years ago, is to help teachers to be aware of the ethical dimensions of every educational act.

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1. Carol Gilligan, In a Different Voice: Psychological Theory and Women's Development (Cambridge, Massachusetts: Harvard University Press, 1982)

2. Kenneth A. Strike and Jonas F. Soltis, The Ethics of Teaching (New York: Teachers College Press, 1985)

3. Herbert Kohl, "Teaching the Unteachable," The New York Review of Books, 1968, in The Writer's Mind, ed. Wallace Kaufman and William Powers (Englewood Cliffs, N.J.: Prentice-Hall, 1970) pp. 54-55.

4. Diana T. Meyers, "The Socialized Individual and Individual Autonomy," in Women and Moral Theory, ed. Eva Feder Kittay and Diana T. Meyers (N.J.: Rowman and Littlefield, 1987) p. 151.